

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN

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CHERYL BESSER, individually and on Case No. 2:13-cv-11558  
behalf of all others similarly situated, Honorable Bernard A. Friedman

Plaintiff,

v.

**STIPULATION OF DISMISSAL**

INDEPENDENT BANK,

Defendant.

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Plaintiff, Cheryl Besser ("Plaintiff"), and Defendant, Independent Bank ("Defendant"), by and through their undersigned counsel and pursuant to Fed. R. Civ. P. 41(a)(1)(A)(ii) and Fed. R. Civ. P. 23(e), hereby stipulate to the dismissal of this action with prejudice as to Plaintiff's individual claims and without prejudice as to the claims of any alleged class members. No class has been certified in this action. Accordingly, class notice and Court approval of the settlement are not required under Fed. R. Civ. P. 23(e).

In accordance with the terms of their Settlement Agreement, the parties request that the Court dismiss with prejudice Plaintiff's individual claims and dismiss without prejudice the claims of any alleged class members.

Date: January 8, 2014

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